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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/019,558

12/31/2001

Haim Guata

GUATA=1

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08/25/2005

BROWDY AND NEIMARK, P.L.L.C.

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WASHINGTON, DC 20001-5303

EXAMINER

POKRZYWA, JOSEPH R

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 08/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/019,558

Applicant(s)

GUATA, HAIM

Examiner

Joseph R. Pokrzywa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 December 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. ____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>12/31/01</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on 12/31/01 have been considered by the examiner (see attached PTO-1449).

Specification and Drawings

3. A substitute specification including the claims is required pursuant to 37 CFR 1.125(a) because the only specification in the file are the copies of the International Publication WO 01/03390 and the Israel Priority Document. While the examiner was able to examine the claims based on the claims in the International Publication, a new specification, including the claims, are required. Further, no abstract and no drawings were included, other than for what is in the above mentioned documents. Thus, a new abstract and new drawings are required.

A substitute specification must not contain new matter. The substitute specification must be submitted with markings showing all the changes relative to the immediate prior version of the specification of record. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of

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five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. An accompanying clean version (without markings) and a statement that the substitute specification contains no new matter must also be supplied. Numbering the paragraphs of the specification of record is not considered a change that must be shown.

Claim Objections

4. **Claim 13** is objected to because of the following informalities:

In **claim 13**, line 8, “per-defined” should read “pre-defined”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. **Claims 1-8, and 13-15** are rejected under 35 U.S.C. 102(b) as being anticipated by Piasecki *et al.* (U.S. Patent Number 5,117,453).

Regarding **claim 1**, Piasecki discloses a digital telecommunication station operative in a telecommunication network (column 2, line 20-column 3, line 36) and comprising at least one

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detector operative to receive at least two different types of signals and determine their type (column 2, lines 20-63), at least one switch controlled by one of the at least one detector, operative to channel signals received in accordance with the determination made by the one of the at least one detector (column 7, lines 1-68), a first transmission means operative to transmit the received signals along a first transmission path, wherein signals of at least one type may be diverted from the first transmission path along which signals of the other types are transmitted (column 7, lines 1-56), and a second transmission means operative to transmit the diverted signals of the at least one type along a second transmission path (column 7, lines 1-56).

Regarding *claim 2*, Piasecki discloses the station according to claim 1 discussed above, and further teaches of a storage capable of storing diverted signals of the at least one type (column 8, lines 18-25).

Regarding *claim 3*, Piasecki discloses the station according to claim 1 discussed above, and further teaches of at least two different pairs of compressing/decompressing devices (column 5, lines 22-40).

Regarding *claim 4*, Piasecki discloses the station according to claim 1 discussed above, and further teaches of that the signals of the at least one type to be diverted are facsimile signals (column 6, line 34-column 7, line 68).

Regarding *claim 5*, Piasecki discloses the station according to claim 4 discussed above, and further teaches of a device for demodulating/re-modulating the facsimile signals (column 8, lines 1-62).

Regarding *claim 6*, Piasecki discloses the station according to claim 5 discussed above, and further teaches that the demodulating/re-modulating device comprises facsimile signal

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demodulator/re-modulator (column 8, lines 1-62) and forward error correction apparatus wherein the forward error correction apparatus is operative to protect the output of the facsimile demodulator (column 8, lines 1-17).

Regarding *claim 7*, Piasecki discloses the station according to claim 1 discussed above, and further teaches that the signals of the at least one type to be diverted are signals used for a service that requires a lower class of quality (column 2, line 20-column 3, line 36).

Regarding *claim 8*, Piasecki discloses the station according to claim 3 discussed above, and further teaches of a first identifier for determining whether the signals received are of a digital compressed form (column 5, line 22-column 6, line 11), second identifier for determining whether the transmission path along which the signals will be transmitted includes at least one further operative means adapted for decompressing the signals when being transmitted in their compressed form (column 7, line 8-column 8, line 25), third transmission means operative in response to a determination made by the second identifier that the transmission path does not include at least one further operative means adapted for decompressing the signals when being transmitted in their compressed form (column 8, lines 1-62), and forth transmission means operative in response to a determination made by the second identifier that the transmission path does not include at least one further operative means adapted for decompressing the signals being transmitted in their compressed form into the decompressed digital output signals (column 8, line 40-column 9, line 50).

Regarding *claim 13*, Piasecki discloses a method for transmission of telecommunication signals of at least two different types (column 2, lines 20-53), with the method comprising determining the type of the signals received and distinguishing therefrom signals of at least one

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pre-defined type from signals of other types, based on the determining step (column 2, lines 20-63), diverting signals of a pre-defined type from a first transmission path along which signals of the other types are transmitted (column 7, lines 1-56), transmitting the signals of the other types along the first transmission path (column 7, lines 1-56), and transmitting the diverted signals along a second transmission path (column 7, lines 1-56).

Regarding **claim 14**, Piasecki discloses the method according to claim 13 discussed above, and further teaches that the diverted signals are stored and transmitted at a later stage via the first transmission path (column 8, lines 10-25).

Regarding **claim 15**, Piasecki discloses the method according to claim 14 discussed above, and further teaches that the diverted signals are stored in a storage means prior to their transmittal along a second transmission path (column 8, lines 10-25).

7. **Claims 1, 3-5, and 7-13** are rejected under 35 U.S.C. 102(e) as being anticipated by Sicher *et al.* (U.S. Patent Number 6,112,084).

Regarding **claim 1**, Sicher discloses a digital telecommunication station operative in a telecommunication network (see abstract) and comprising at least one detector operative to receive at least two different types of signals and determine their type (column 5, line 29-column 6, line 34), at least one switch controlled by one of the at least one detector, operative to channel signals received in accordance with the determination made by the one of the at least one detector (column 5, line 29-column 6, line 34, being either a voice transmission and a data transmission), a first transmission means operative to transmit the received signals along a first transmission path (column 10, line 6-column 11, line 17), wherein signals of at least one type

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may be diverted from the first transmission path along which signals of the other types are transmitted (column 8, lines 16-45, and column 10, line 6-column 11, line 17), and a second transmission means operative to transmit the diverted signals of the at least one type along a second transmission path (column 10, line 6-column 11, line 17).

Regarding *claim 3*, Sicher discloses the station according to claim 1 discussed above, and further teaches of at least two different pairs of compressing/decompressing devices (column 7, line 11-column 8, line 15).

Regarding *claim 4*, Sicher discloses the station according to claim 1 discussed above, and further teaches of that the signals of the at least one type to be diverted are facsimile signals (column 10, line 6-column 11, line 17).

Regarding *claim 5*, Sicher discloses the station according to claim 4 discussed above, and further teaches of a device for demodulating/re-modulating the facsimile signals (column 11, line 23-column 12, line 48).

Regarding *claim 7*, Sicher discloses the station according to claim 1 discussed above, and further teaches that the signals of the at least one type to be diverted are signals used for a service that requires a lower class of quality (column 6, lines 15-50).

Regarding *claim 8*, Sicher discloses the station according to claim 3 discussed above, and further teaches of a first identifier for determining whether the signals received are of a digital compressed form (column 5, line 29-column 6, line 50), second identifier for determining whether the transmission path along which the signals will be transmitted includes at least one further operative means adapted for decompressing the signals when being transmitted in their compressed form (column 6, line 15-column 7, line 45), third transmission means operative in

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response to a determination made by the second identifier that the transmission path does not include at least one further operative means adapted for decompressing the signals when being transmitted in their compressed form (column 7, lines 11-50), and forth transmission means operative in response to a determination made by the second identifier that the transmission path does not include at least one further operative means adapted for decompressing the signals being transmitted in their compressed form into the decompressed digital output signals (column 7, lines 11-50).

Regarding **claim 9**, Sicher discloses a telecommunication system (see Figs. 1, 4, 6, 9, and 10) comprising at least one transmitter at at least a first end of the transmission network (see Figs. 1, 4, 6, 9, and 10), at least one receiver at at least a second end of the transmission network (see Figs. 1, 4, 6, 9, and 10), and at least one digital telecommunication station of claim 1.

Regarding **claim 10**, Sicher discloses a telecommunication system (see Figs. 1, 4, 6, 9, and 10) comprising at least one transmitter at at least a first end of the transmission network (see Figs. 1, 4, 6, 9, and 10), at least one receiver at at least a second end of the transmission network (see Figs. 1, 4, 6, 9, and 10), and at least one pair of digital telecommunication stations of claim 3.

Regarding **claim 11**, Sicher discloses the system according to claim 10 discussed above, and further teaches that at least one pair of telecommunication stations is selectively operated (see Figs. 1, 4, 6, 9, and 10, and column 11, lines 23-65).

Regarding **claim 12**, Sicher discloses the system according to claim 9 discussed above, and further teaches that the at least one of digital telecommunication station is capable of

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establishing a communication connection with more than two digital communication stations (column 8, line 46-column 9, line 26, and column 11, lines 23-65).

Regarding *claim 13*, Sicher discloses a method for transmission of telecommunication signals of at least two different types (see abstract), with the method comprising determining the type of the signals received (column 5, line 29-column 6, line 34) and distinguishing therefrom signals of at least one pre-defined type from signals of other types, based on the determining step (column 5, line 29-column 6, line 34, being either a voice transmission and a data transmission), diverting signals of a pre-defined type from a first transmission path along which signals of the other types are transmitted (column 8, lines 16-45, and column 10, line 6-column 11, line 17), transmitting the signals of the other types along the first transmission path (column 10, line 6-column 11, line 17), and transmitting the diverted signals along a second transmission path (column 10, line 6-column 11, line 17).

Citation of Pertinent Prior Art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Guy *et al.* (U.S. Patent Number 5,940,479) discloses a system for transmitting information across a wide area network; and

Garner *et al.* (U.S. Patent Number 6,112,085) discloses a management system for satellite communication having a virtual network configuration.

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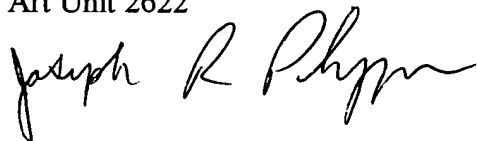
Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622



jrp